

Ramon Ortiz-Santana

REG# 17036-069

FCI Schuylkill

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L E T T E R M O T I O N

Clerk Of Court For:

July 30, 2006

THE HONORABLE
Jose A. Fuste
U.S. Dist. Court Judge
U.S. D.C. For The
Dist. Of Puerto Rico
Frederick Degetau Fed. Bldg.
150 Carlos Chardon Ave.
San Juan, P.R. 00918-1767

RE: Case Nos. Dkts. 97-229
98-00175

Sentence Credit Concurrency
Clarification Assistance
Request Via Letter Motion

Dear Judge Fuste:

As can be readily seen from the enclosed, pertinent exhibits in the form of those Bureau Of Prisons Administrative Remedy procedures that I have attempted to dilligently perform in the interest of recieving the proper credits for all sentences regarding my instant federal and past state or local periods of imprisonment, there exists a distinct problem with this vital matter which deprives me of said proper credits, delays my overall release time and as you may re-call as Your Honor presided over the case, also goes against your specific orders and wishes for the adjudication of my case(s).

Some time ago upon Sentencing Your Honor made it known that you had designed an aggregate amount of time for my total sentence service and that you had also integrated, concurrently those outstanding state/local jailing times to which I was obligated and was then also serving upon federal sentencing procedures, etc. My sentence was not to surpass 180 months in aggregate time. I was also previously housed within the Puerto Rico Dept. Of Corrections to be later transferred to the FCI Schuylkill locale where I am presently in residence and have been for some time.

I am in effect seeking credit for that period of from Oct. 17, 1997 to March 9, 1999 as noted in the B.O.P. paperwork for Remedy No. 401541-R1 etc as enclosed. To realize this proper credit as to your same sentencing wishes for me, I consulted with the Warden here; Mr. Ronnie Holt, and in turn my case was presented to the B.O.P. Regional offices in Phila., Pa. It has been decided that the credit due to my sentence and the intentions of your court were not clarified well enough to suit their examination and hence their

automatic credit adjustment procedures. This comprises the principle reason for my present most concerned letter to you herein.

It has been stated that via 18 U.S.C. 3585(b) that I cannot receive true concurrency; state vs. local sentence times. Rather, the B.O.P. has stated that NO downward departure was granted me in relation to Case(s) No. 98-175, nor in 97-229 to compensate and thereby integrate the credits that I seek to make and comply with my 188 month aggregate sentence as ordered. Moreover in direct contrast to Your Honors then designs for my sentence, the B.O.P. says now that your court did NOT order credit for time served on my State/Local P.R. sentence itself. This, supposedly because I did not receive a U.S.S.G. 5G1.3 credit consideration, etc.

With the above so stated, and with my situation here being severely and unnecessarily prejudiced by this lack of "clarity" from your court according to the now involved B.O.P., I then must most respectfully seek your intervention in this matter which will bear much weight as to my true and practiced, real release date from prison custody. It is a matter of extreme importance to me and to my loving family, to know exactly when I will be released. This, for the obvious reasons in planning my future and for the also logical piece of mind which such knowledge will give to myself and to those who care about me. Likewise, to also know that Your Honor's wishes were respected and carried out by the custody responsible B.O.P. itself, not bypassing your rulings and other parameters of my sentencing as ordered. My credit as due represents a long period.

I would then respectfully request that Your Honor communicate with the appropriate entities within the B.O.P., my site of imprisonment and the Warden here or with whatever body would be proper as the ultimate authority beyond your court in this matter. For this, I would be truly grateful as would my family. I am sure that with the proper communications and clarifying statements that this subject can be successfully decided in my favor, expeditiously.

Thanking you so much for your kind attentions in this matter and considering that I have effectively nowhere else to turn for remedy at this point, I remain in anticipation of your prompt reply, and confirmation of same being made to me as well.

Most Respectfully Yours,

Ramon Ortiz Santana - 17036069

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cc: File/Other

Enclosures